



Rep. Sara Feigenholtz

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LRB097 14710 KTG 68152 a

1 AMENDMENT TO HOUSE BILL 4028

2 AMENDMENT NO. _____. Amend House Bill 4028 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Abused and Neglected Child Reporting Act is
5 amended by changing Section 3 as follows:

6 (325 ILCS 5/3) (from Ch. 23, par. 2053)

7 Sec. 3. As used in this Act unless the context otherwise
8 requires:

9 "Adult resident" means any person between 18 and 22 years
10 of age who resides in any facility licensed by the Department
11 under the Child Care Act of 1969. For purposes of this Act, the
12 criteria set forth in the definitions of "abused child" and
13 "neglected child" shall be used in determining whether an adult
14 resident is abused or neglected.

15 "Child" means any person under the age of 18 years, unless
16 legally emancipated by reason of marriage or entry into a

1 branch of the United States armed services.

2 "Department" means Department of Children and Family
3 Services.

4 "Local law enforcement agency" means the police of a city,
5 town, village or other incorporated area or the sheriff of an
6 unincorporated area or any sworn officer of the Illinois
7 Department of State Police.

8 "Abused child" means a child whose parent or immediate
9 family member, or any person responsible for the child's
10 welfare, or any individual residing in the same home as the
11 child, or a paramour of the child's parent:

12 (a) inflicts, causes to be inflicted, or allows to be
13 inflicted upon such child physical injury, by other than
14 accidental means, which causes death, disfigurement,
15 impairment of physical or emotional health, or loss or
16 impairment of any bodily function;

17 (b) creates a substantial risk of physical injury to
18 such child by other than accidental means which would be
19 likely to cause death, disfigurement, impairment of
20 physical or emotional health, or loss or impairment of any
21 bodily function;

22 (c) commits or allows to be committed any sex offense
23 against such child, as such sex offenses are defined in the
24 Criminal Code of 1961, as amended, or in the Wrongs to
25 Children Act, and extending those definitions of sex
26 offenses to include children under 18 years of age;

1 (d) commits or allows to be committed an act or acts of
2 torture upon such child;

3 (e) inflicts excessive corporal punishment;

4 (f) commits or allows to be committed the offense of
5 female genital mutilation, as defined in Section 12-34 of
6 the Criminal Code of 1961, against the child;

7 (g) causes to be sold, transferred, distributed, or
8 given to such child under 18 years of age, a controlled
9 substance as defined in Section 102 of the Illinois
10 Controlled Substances Act in violation of Article IV of the
11 Illinois Controlled Substances Act or in violation of the
12 Methamphetamine Control and Community Protection Act,
13 except for controlled substances that are prescribed in
14 accordance with Article III of the Illinois Controlled
15 Substances Act and are dispensed to such child in a manner
16 that substantially complies with the prescription; or

17 (h) commits or allows to be committed the offense of
18 involuntary servitude, involuntary sexual servitude of a
19 minor, or trafficking in persons for forced labor or
20 services as defined in Section 10-9 of the Criminal Code of
21 1961 against the child.

22 A child shall not be considered abused for the sole reason
23 that the child has been relinquished in accordance with the
24 Abandoned Newborn Infant Protection Act.

25 "Neglected child" means any child who is not receiving the
26 proper or necessary nourishment or medically indicated

1 treatment including food or care not provided solely on the
2 basis of the present or anticipated mental or physical
3 impairment as determined by a physician acting alone or in
4 consultation with other physicians or otherwise is not
5 receiving the proper or necessary support or medical or other
6 remedial care recognized under State law as necessary for a
7 child's well-being, or other care necessary for his or her
8 well-being, including adequate food, clothing and shelter; or
9 who is abandoned by his or her parents or other person
10 responsible for the child's welfare without a proper plan of
11 care; or who has been provided with interim crisis intervention
12 services under Section 3-5 of the Juvenile Court Act of 1987
13 and whose parent, guardian, or custodian refuses to permit the
14 child to return home and no other living arrangement agreeable
15 to the parent, guardian, or custodian can be made, and the
16 parent, guardian, or custodian has not made any other
17 appropriate living arrangement for the child; or who is a
18 newborn infant whose blood, urine, or meconium contains any
19 amount of a controlled substance as defined in subsection (f)
20 of Section 102 of the Illinois Controlled Substances Act or a
21 metabolite thereof, with the exception of a controlled
22 substance or metabolite thereof whose presence in the newborn
23 infant is the result of medical treatment administered to the
24 mother or the newborn infant. A child shall not be considered
25 neglected for the sole reason that the child's parent or other
26 person responsible for his or her welfare has left the child in

1 the care of an adult relative for any period of time. A child
2 shall not be considered neglected for the sole reason that the
3 child has been relinquished in accordance with the Abandoned
4 Newborn Infant Protection Act. A child shall not be considered
5 neglected or abused for the sole reason that such child's
6 parent or other person responsible for his or her welfare
7 depends upon spiritual means through prayer alone for the
8 treatment or cure of disease or remedial care as provided under
9 Section 4 of this Act. A child shall not be considered
10 neglected or abused solely because the child is not attending
11 school in accordance with the requirements of Article 26 of The
12 School Code, as amended.

13 "Child Protective Service Unit" means certain specialized
14 State employees of the Department assigned by the Director to
15 perform the duties and responsibilities as provided under
16 Section 7.2 of this Act.

17 "Person responsible for the child's welfare" means the
18 child's parent; guardian; foster parent; relative caregiver;
19 any person responsible for the child's welfare in a public or
20 private residential agency or institution; any person
21 responsible for the child's welfare within a public or private
22 profit or not for profit child care facility; or any other
23 person responsible for the child's welfare at the time of the
24 alleged abuse or neglect, including any person that is the
25 custodian of a child under 18 years of age who commits or
26 allows to be committed, against the child, the offense of

1 involuntary servitude, involuntary sexual servitude of a
2 minor, or trafficking in persons for forced labor or services,
3 as provided in Section 10-9 of the Criminal Code of 1961, or
4 any person who came to know the child through an official
5 capacity or position of trust, including but not limited to
6 health care professionals, educational personnel, recreational
7 supervisors, members of the clergy, and volunteers or support
8 personnel in any setting where children may be subject to abuse
9 or neglect.

10 "Temporary protective custody" means custody within a
11 hospital or other medical facility or a place previously
12 designated for such custody by the Department, subject to
13 review by the Court, including a licensed foster home, group
14 home, or other institution; but such place shall not be a jail
15 or other place for the detention of criminal or juvenile
16 offenders.

17 "An unfounded report" means any report made under this Act
18 for which it is determined after an investigation that no
19 credible evidence of abuse or neglect exists.

20 "An indicated report" means a report made under this Act if
21 an investigation determines that credible evidence of the
22 alleged abuse or neglect exists.

23 "An undetermined report" means any report made under this
24 Act in which it was not possible to initiate or complete an
25 investigation on the basis of information provided to the
26 Department.

1 "Subject of report" means any child reported to the central
2 register of child abuse and neglect established under Section
3 7.7 of this Act as an alleged victim of child abuse or neglect
4 and the parent or guardian of the alleged victim or other
5 person responsible for the alleged victim's welfare who is
6 named in the report or added to the report as an alleged
7 perpetrator of child abuse or neglect.

8 "Perpetrator" means a person who, as a result of
9 investigation, has been determined by the Department to have
10 caused child abuse or neglect.

11 "Member of the clergy" means a clergyman or practitioner of
12 any religious denomination accredited by the religious body to
13 which he or she belongs.

14 (Source: P.A. 96-1196, eff. 1-1-11; 96-1446, eff. 8-20-10;
15 96-1464, eff. 8-20-10; 97-333, eff. 8-12-11.)

16 Section 10. The Adoption Act is amended by changing
17 Sections 10 and 18.3a and by adding Section 18.08 as follows:

18 (750 ILCS 50/10) (from Ch. 40, par. 1512)

19 Sec. 10. Forms of consent and surrender; execution and
20 acknowledgment thereof.

21 A. The form of consent required for the adoption of a born
22 child shall be substantially as follows:

23 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

24 I,, (relationship, e.g., mother, father, relative,

1 guardian) of, a ..male child, state:

2 That such child was born on at

3 That I reside at, County of and State of

4 That I am of the age of years.

5 That I hereby enter my appearance in this proceeding and
6 waive service of summons on me.

7 That I hereby acknowledge that I have been provided with a
8 copy of the Birth Parent Rights and Responsibilities-Private
9 Form before signing this Consent and that I have had time to
10 read, or have had read to me, this Form. I understand that if I
11 do not receive any of the rights as described in this Form, it
12 shall not constitute a basis to revoke this Final and
13 Irrevocable Consent.

14 That I do hereby consent and agree to the adoption of such
15 child.

16 That I wish to and understand that by signing this consent
17 I do irrevocably and permanently give up all custody and other
18 parental rights I have to such child.

19 That I understand such child will be placed for adoption
20 and that I cannot under any circumstances, after signing this
21 document, change my mind and revoke or cancel this consent or
22 obtain or recover custody or any other rights over such child.
23 That I have read and understand the above and I am signing it
24 as my free and voluntary act.

25 Dated (insert date).

26

1 If under Section 8 the consent of more than one person is
2 required, then each such person shall execute a separate
3 consent.

4 A-1. (1) The form of the Final and Irrevocable Consent to
5 Adoption by a Specified Person or Persons: Non-DCFS Case set
6 forth in this subsection A-1 is to be used by legal parents
7 only. This form is not to be used in cases in which there is a
8 pending petition under Section 2-13 of the Juvenile Court Act
9 of 1987.

10 (2) The form of the Final and Irrevocable Consent to
11 Adoption by a Specified Person or Persons in a non-DCFS case
12 shall have the caption of the proceeding in which it is to be
13 filed and shall be substantially as follows:

14 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

15 A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

16 I,, (relationship, e.g., mother, father) of, a
17 ..male child, state:

18 1. That such child was born on, at, City of ...
19 and State of

20 2. That I reside at, County of and State of

21 3. That I am of the age of years.

22 4. That I hereby enter my appearance in this proceeding and
23 waive service of summons on me.

24 5. That I hereby acknowledge that I have been provided a
25 copy of the Birth Parent Rights and Responsibilities-Private

1 Form before signing this Consent and that I have had time to
 2 read, or have had read to me, this Form and that I understand
 3 the Rights and Responsibilities described in this Form. I
 4 understand that if I do not receive any of my rights as
 5 described in said Form, it shall not constitute a basis to
 6 revoke this Final and Irrevocable Consent to Adoption by a
 7 Specified Person.

8 6. That I do hereby consent and agree to the adoption of
 9 such child by (specified persons) only.

10 7. That I wish to and understand that upon signing this
 11 consent I do irrevocably and permanently give up all custody
 12 and other parental rights I have to such child if such child is
 13 adopted by (specified person or persons). I hereby
 14 transfer all of my rights to the custody, care and control of
 15 such child to (specified person
 16 or persons).

17 8. That I understand such child will be adopted by
 18 (specified person or persons) and that
 19 I cannot under any circumstances, after signing this document,
 20 change my mind and revoke or cancel this consent or obtain or
 21 recover custody or any other rights over such child if
 22 (specified person or persons)
 23 adopt(s) such child; PROVIDED that each specified person has
 24 filed or shall file, within 60 days from the date hereof, a
 25 petition for the adoption of such child.

26 9. That if the specified person or persons designated

1 herein do not file a petition for adoption within the
2 time-frame specified above, or, if said petition for adoption
3 is filed within the time-frame specified above but the adoption
4 petition is dismissed with prejudice or the adoption proceeding
5 is otherwise concluded without an order declaring the child to
6 be the adopted child of the specified person or persons, then I
7 understand that I will receive written notice of such
8 circumstances within 10 business days of their occurrence. I
9 understand that the notice will be directed to me using the
10 contact information I have provided in this consent. I
11 understand that I will have 10 business days from the date that
12 the written notice is sent to me to respond, within which time
13 I may request the Court to declare this consent voidable and
14 return the child to me. I further understand that the Court
15 will make the final decision of whether or not the child will
16 be returned to me. If I do not make such request within 10
17 business days of the date of the notice, then I expressly waive
18 any other notice or service of process in any legal proceeding
19 for the adoption of the child.

20 10. That I expressly acknowledge that nothing in this
21 Consent impairs the validity and absolute finality of this
22 Consent under any circumstance other than those described in
23 paragraph 9 of this Consent.

24 11. That I understand that I have a remaining duty and
25 obligation to keep (insert name and address of
26 the attorney for the specified person or persons) informed of

1 my current address or other preferred contact information until
 2 this adoption has been finalized. My failure to do so may
 3 result in the termination of my parental rights and the child
 4 being placed for adoption in another home.

5 12. That I do expressly waive any other notice or service
 6 of process in any of the legal proceedings for the adoption of
 7 the child as long as the adoption proceeding by the specified
 8 person or persons is pending.

9 13. That I have read and understand the above and I am
 10 signing it as my free and voluntary act.

11 14. That I acknowledge that this consent is valid even if
 12 the specified person or persons separate or divorce or one of
 13 the specified persons dies prior to the entry of the final
 14 judgment for adoption.

15 Dated (insert date).
 16
 17 Signature of parent.
 18
 19 Address of parent.
 20
 21 Phone number(s) of parent.
 22
 23 Personal email(s) of parent.
 24

25 (3) The form of the certificate of acknowledgement for a
 26 Final and Irrevocable Consent for Adoption by a Specified

1 Person or Persons: Non-DCFS Case shall be substantially as
2 follows:

3 STATE OF)
4) SS.
5 COUNTY OF

6 I, (Name of Judge or other person),
7 (official title, name, and address),
8 certify that, personally known to me to be the
9 same person whose name is subscribed to the foregoing Final and
10 Irrevocable Consent for Adoption by a Specified Person or
11 Persons; non-DCFS case, appeared before me this day in person
12 and acknowledged that (she)(he) signed and delivered the
13 consent as (her)(his) free and voluntary act, for the specified
14 purpose. I am further satisfied that, before signing this
15 Consent, has read, or has had read to him or her, the
16 Birth Parent Rights and Responsibilities-Private Form.

17 A-2. Birth Parent Rights and Responsibilities-Private
18 Form. The Birth Parent Rights and Responsibilities-Private
19 Form must be read by, or have been read to, any person
20 executing a Final and Irrevocable Consent to Adoption under
21 subsection A, a Final and Irrevocable Consent to Adoption by a
22 Specified Person or Persons: Non-DCFS Case under subsection
23 A-1, or a Consent to Adoption of Unborn Child under subsection
24 B prior to the execution of said Consent. The form of the Birth
25 Parent Rights and Responsibilities-Private Form shall be

1 substantially as follows:

2 Birth Parent Rights and Responsibilities-Private Form

3 As a birth parent in the State of Illinois, you have the
4 right:

5 1. To have your own attorney represent you. The prospective
6 adoptive parents may agree to pay for the cost of your attorney
7 in a manner consistent with Illinois law, but they are not
8 required to do so.

9 2. To be treated with dignity and respect at all times and
10 to make decisions free from coercion and pressure.

11 3. To receive counseling before and after signing a Final
12 and Irrevocable Consent to Adoption ("Consent"), a Final and
13 Irrevocable Consent to Adoption by a Specified Person or
14 Persons: Non-DCFS Case ("Specified Consent"), or a Consent to
15 Adoption of Unborn Child ("Unborn Consent"). The prospective
16 adoptive parents may agree to pay for the cost of counseling in
17 a manner consistent with Illinois law, but they are not
18 required to do so.

19 4. To ask to be involved in choosing your child's
20 prospective adoptive parents and to ask to meet them.

21 5. To ask your child's prospective adoptive parents any
22 questions that pertain to your decision to place your child
23 with them.

24 6. To see your child before signing a Consent or Specified
25 Consent.

26 7. To request contact with your child and/or the child's

1 prospective adoptive parents, with the understanding that any
2 promises regarding contact with your child or receipt of
3 information about the child after signing a Consent, Specified
4 Consent, or Unborn Consent cannot be enforced under Illinois
5 law.

6 8. To receive copies of all documents that you sign and
7 have those documents provided to you in your preferred
8 language.

9 9. To request that your identifying information remain
10 confidential, unless required otherwise by Illinois law or
11 court order, and to register with the Illinois Adoption
12 Registry and Medical Information Exchange.

13 10. To work with an adoption agency or attorney of your
14 choice, or change said agency or attorney, provided you
15 promptly inform all of the parties currently involved.

16 11. To receive, upon request, a written list of any
17 promised support, financial or otherwise, from your attorney or
18 the attorney for your child's prospective adoptive parents.

19 12. To delay signing a Consent, Specified Consent, or
20 Unborn Consent if you are not ready to do so.

21 13. To decline to sign a Consent, Specified Consent, or
22 Unborn Consent even if you have received financial support from
23 the prospective adoptive parents.

24 If you do not receive any of the rights described in this
25 Form, it shall not be a basis to revoke a Consent, Specified
26 Consent, or Unborn Consent.

1 As a Birth Parent in the State of Illinois, you have the
2 responsibility:

3 1. To carefully consider your reasons for choosing
4 adoption.

5 2. To voluntarily provide all known medical, background,
6 and family information about yourself and your immediate family
7 to your child's prospective adoptive parents or their attorney.
8 For the health of your child, you are strongly encouraged, but
9 not required, to provide all known medical, background, and
10 family history information about yourself and your family to
11 your child's prospective adoptive parents or their attorney.

12 3. (Birth mothers only) To accurately complete an Affidavit
13 of Identification, which identifies the father of the child
14 when known, with the understanding that a birth mother has a
15 right to decline to identify the birth father.

16 4. To not accept financial support or reimbursement of
17 pregnancy related expenses simultaneously from more than one
18 source.

19 B. The form of consent required for the adoption of an
20 unborn child shall be substantially as follows:

21 CONSENT TO ADOPTION OF UNBORN CHILD

22 I,, state:

23 That I am the father of a child expected to be born on or
24 about to (name of mother).

25 That I reside at County of, and State of

26 That I am of the age of years.

1 That I hereby enter my appearance in such adoption
2 proceeding and waive service of summons on me.

3 That I hereby acknowledge that I have been provided with a
4 copy of the Birth Parent Rights and Responsibilities-Private
5 Form before signing this Consent, and that I have had time to
6 read, or have had read to me, this Form. I understand that if I
7 do not receive any of the rights as described in this Form, it
8 shall not constitute a basis to revoke this Consent to Adoption
9 of Unborn Child.

10 That I do hereby consent and agree to the adoption of such
11 child, and that I have not previously executed a consent or
12 surrender with respect to such child.

13 That I wish to and do understand that by signing this
14 consent I do irrevocably and permanently give up all custody
15 and other parental rights I have to such child, except that I
16 have the right to revoke this consent by giving written notice
17 of my revocation not later than 72 hours after the birth of the
18 child.

19 That I understand such child will be placed for adoption
20 and that, except as hereinabove provided, I cannot under any
21 circumstances, after signing this document, change my mind and
22 revoke or cancel this consent or obtain or recover custody or
23 any other rights over such child.

24 That I have read and understand the above and I am signing
25 it as my free and voluntary act.

26 Dated (insert date).

1
2

3 B-5. (1) The parent of a child may execute a consent to
4 standby adoption by a specified person or persons. A consent
5 under this subsection B-5 shall be acknowledged by a parent
6 pursuant to subsection H and subsection K of this Section. The
7 form of consent required for the standby adoption of a born
8 child effective at a future date when the consenting parent of
9 the child dies or requests that a final judgment of adoption be
10 entered shall be substantially as follows:

11 FINAL AND IRREVOCABLE CONSENT

12 TO STANDBY ADOPTION

13 I, ..., (relationship, e.g. mother or father) of ..., a
14 ..male child, state:

15 That the child was born on at

16 That I reside at, County of, and State of

17 That I am of the age of years.

18 That I hereby enter my appearance in this proceeding and
19 waive service of summons on me in this action only.

20 That I do hereby consent and agree to the standby adoption
21 of the child, and that I have not previously executed a consent
22 or surrender with respect to the child.

23 That I wish to and understand that by signing this consent
24 I do irrevocably and permanently give up all custody and other
25 parental rights I have to the child, effective upon (my death)
26 (the child's other parent's death) or upon (my) (the other
parent's) request for the entry of a final judgment for

1 adoption if (specified person or persons) adopt my child.

2 That I understand that until (I die) (the child's other
3 parent dies), I retain all legal rights and obligations
4 concerning the child, but at that time, I irrevocably give all
5 custody and other parental rights to (specified person or
6 persons).

7 I understand my child will be adopted by (specified
8 person or persons) only and that I cannot, under any
9 circumstances, after signing this document, change my mind and
10 revoke or cancel this consent or obtain or recover custody or
11 any other rights over my child if (specified person or
12 persons) adopt my child.

13 I understand that this consent to standby adoption is valid
14 only if the petition for standby adoption is filed and that if
15 (specified person or persons), for any reason, cannot
16 or will not file a petition for standby adoption or if his,
17 her, or their petition for standby adoption is denied, then
18 this consent is void. I have the right to notice of any other
19 proceeding that could affect my parental rights.

20 That I have read and understand the above and I am signing
21 it as my free and voluntary act.

22 Dated (insert date).

23

24 If under Section 8 the consent of more than one person is
25 required, then each such person shall execute a separate

1 consent. A separate consent shall be executed for each child.

2 (2) If the parent consents to a standby adoption by 2
3 specified persons, then the form shall contain 2 additional
4 paragraphs in substantially the following form:

5 If (specified persons) obtain a judgment of
6 dissolution of marriage before the judgment for adoption is
7 entered, then (specified person) shall adopt my child. I
8 understand that I cannot change my mind and revoke this consent
9 or obtain or recover custody of my child if (specified
10 persons) obtain a judgment of dissolution of marriage and
11 (specified person) adopts my child. I understand that I cannot
12 change my mind and revoke this consent if (specified
13 persons) obtain a judgment of dissolution of marriage before
14 the adoption is final. I understand that this consent to
15 adoption has no effect on who will get custody of my child if
16 (specified persons) obtain a judgment of dissolution of
17 marriage after the adoption is final. I understand that if
18 either (specified persons) dies before the petition to
19 adopt my child is granted, then the surviving person may adopt
20 my child. I understand that I cannot change my mind and revoke
21 this consent or obtain or recover custody of my child if the
22 surviving person adopts my child.

23 A consent to standby adoption by specified persons on this
24 form shall have no effect on a court's determination of custody
25 or visitation under the Illinois Marriage and Dissolution of
26 Marriage Act if the marriage of the specified persons is

1 dissolved before the adoption is final.

2 (3) The form of the certificate of acknowledgement for a
3 Final and Irrevocable Consent for Standby Adoption shall be
4 substantially as follows:

5 STATE OF)

6) SS.

7 COUNTY OF)

8 I, (name of Judge or other person) (official
9 title, name, and address), certify that, personally
10 known to me to be the same person whose name is subscribed to
11 the foregoing Final and Irrevocable Consent to Standby
12 Adoption, appeared before me this day in person and
13 acknowledged that (she) (he) signed and delivered the consent
14 as (her) (his) free and voluntary act, for the specified
15 purpose.

16 I have fully explained that this consent to adoption is
17 valid only if the petition to adopt is filed, and that if the
18 specified person or persons, for any reason, cannot or will not
19 adopt the child or if the adoption petition is denied, then
20 this consent will be void. I have fully explained that if the
21 specified person or persons adopt the child, by signing this
22 consent (she) (he) is irrevocably and permanently
23 relinquishing all parental rights to the child, and (she) (he)
24 has stated that such is (her) (his) intention and desire.

1 Dated (insert date).

2 Signature

3 (4) If a consent to standby adoption is executed in this
4 form, the consent shall be valid only if the specified person
5 or persons adopt the child. The consent shall be void if:

6 (a) the specified person or persons do not file a petition
7 for standby adoption of the child; or

8 (b) a court denies the standby adoption petition.

9 The parent shall not need to take further action to revoke
10 the consent if the standby adoption by the specified person or
11 persons does not occur, notwithstanding the provisions of
12 Section 11 of this Act.

13 C. The form of surrender to any agency given by a parent of
14 a born child who is to be subsequently placed for adoption
15 shall be substantially as follows and shall contain such other
16 facts and statements as the particular agency shall require.

17 FINAL AND IRREVOCABLE SURRENDER

18 FOR PURPOSES OF ADOPTION

19 I, (relationship, e.g., mother, father, relative,
20 guardian) of, a ..male child, state:

21 That such child was born on, at

22 That I reside at, County of, and State of

23 That I am of the age of years.

24 That I do hereby surrender and entrust the entire custody
25 and control of such child to the (the "Agency"), a
26 (public) (licensed) child welfare agency with its principal

1 office in the City of, County of and State of,
 2 for the purpose of enabling it to care for and supervise the
 3 care of such child, to place such child for adoption and to
 4 consent to the legal adoption of such child.

5 That I hereby grant to the Agency full power and authority
 6 to place such child with any person or persons it may in its
 7 sole discretion select to become the adopting parent or parents
 8 and to consent to the legal adoption of such child by such
 9 person or persons; and to take any and all measures which, in
 10 the judgment of the Agency, may be for the best interests of
 11 such child, including authorizing medical, surgical and dental
 12 care and treatment including inoculation and anaesthesia for
 13 such child.

14 That I wish to and understand that by signing this
 15 surrender I do irrevocably and permanently give up all custody
 16 and other parental rights I have to such child.

17 That I understand I cannot under any circumstances, after
 18 signing this surrender, change my mind and revoke or cancel
 19 this surrender or obtain or recover custody or any other rights
 20 over such child.

21 That I have read and understand the above and I am signing
 22 it as my free and voluntary act.

23 Dated (insert date).
 24

25 C-5. The form of a Final and Irrevocable Designated
 26 Surrender for Purposes of Adoption to any agency given by a

1 parent of a born child who is to be subsequently placed for
 2 adoption is to be used by legal parents only. The form shall be
 3 substantially as follows and shall contain such other facts and
 4 statements as the particular agency shall require:

5 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

6 FOR PURPOSES OF ADOPTION

7 I, (relationship, e.g., mother, father, relative,
 8 guardian) of, a ..male child, state:

9 1. That such child was born on, at

10 2. That I reside at, County of, and State of
 11

12 3. That I am of the age of years.

13 4. That I do hereby surrender and entrust the entire
 14 custody and control of such child to the (the "Agency"), a
 15 (public) (licensed) child welfare agency with its principal
 16 office in the City of, County of and State of,
 17 for the purpose of enabling it to care for and supervise the
 18 care of such child, to place such child for adoption with
 19 (specified person or persons)
 20 and to consent to the legal adoption of such child and to take
 21 any and all measures which, in the judgment of the Agency, may
 22 be for the best interests of such child, including authorizing
 23 medical, surgical and dental care and treatment including
 24 inoculation and anesthesia for such child.

25 5. That I wish to and understand that by signing this
 26 surrender I do irrevocably and permanently give up all custody

1 and other parental rights I have to such child.

2 6. That if the petition for adoption is not filed by the
3 specified person or persons designated herein or, if the
4 petition for adoption is filed but the adoption petition is
5 dismissed with prejudice or the adoption proceeding is
6 otherwise concluded without an order declaring the child to be
7 the adopted child of each specified person, then I understand
8 that the Agency will provide notice to me within 10 business
9 days and that such notice will be directed to me using the
10 contact information I have provided to the Agency. I understand
11 that I will have 10 business days from the date that the Agency
12 sends me its notice to respond, within which time I may choose
13 to designate other adoptive parent(s). However, I acknowledge
14 that the Agency has full power and authority to place the child
15 for adoption with any person or persons it may in its sole
16 discretion select to become the adopting parent or parents and
17 to consent to the legal adoption of the child by such person or
18 persons.

19 7. That I acknowledge that this surrender is valid even if
20 the specified persons separate or divorce or one of the
21 specified persons dies prior to the entry of the final judgment
22 for adoption.

23 8. That I expressly acknowledge that the above paragraphs 6
24 and 7 do not impair the validity and absolute finality of this
25 surrender under any circumstance.

26 9. That I understand that I have a remaining obligation to

1 keep the Agency informed of my current contact information
2 until the adoption of the child has been finalized if I wish to
3 be notified in the event the adoption by the specified
4 person(s) cannot proceed.

5 10. That I understand I cannot under any circumstances,
6 after signing this surrender, change my mind and revoke or
7 cancel this surrender or obtain or recover custody or any other
8 rights over such child.

9 11. That I have read and understand the above and I am
10 signing it as my free and voluntary act.

11 Dated (insert date).

12

13 D. The form of surrender to an agency given by a parent of
14 an unborn child who is to be subsequently placed for adoption
15 shall be substantially as follows and shall contain such other
16 facts and statements as the particular agency shall require.

17 SURRENDER OF UNBORN CHILD FOR

18 PURPOSES OF ADOPTION

19 I, (father), state:

20 That I am the father of a child expected to be born on or
21 about to (name of mother).

22 That I reside at, County of, and State of

23 That I am of the age of years.

24 That I do hereby surrender and entrust the entire custody
25 and control of such child to the (the "Agency"), a
26 (public) (licensed) child welfare agency with its principal

1 office in the City of, County of and State of,
2 for the purpose of enabling it to care for and supervise the
3 care of such child, to place such child for adoption and to
4 consent to the legal adoption of such child, and that I have
5 not previously executed a consent or surrender with respect to
6 such child.

7 That I hereby grant to the Agency full power and authority
8 to place such child with any person or persons it may in its
9 sole discretion select to become the adopting parent or parents
10 and to consent to the legal adoption of such child by such
11 person or persons; and to take any and all measures which, in
12 the judgment of the Agency, may be for the best interests of
13 such child, including authorizing medical, surgical and dental
14 care and treatment, including inoculation and anaesthesia for
15 such child.

16 That I wish to and understand that by signing this
17 surrender I do irrevocably and permanently give up all custody
18 and other parental rights I have to such child.

19 That I understand I cannot under any circumstances, after
20 signing this surrender, change my mind and revoke or cancel
21 this surrender or obtain or recover custody or any other rights
22 over such child, except that I have the right to revoke this
23 surrender by giving written notice of my revocation not later
24 than 72 hours after the birth of such child.

25 That I have read and understand the above and I am signing
26 it as my free and voluntary act.

1 Dated (insert date).

2

3 E. The form of consent required from the parents for the
4 adoption of an adult, when such adult elects to obtain such
5 consent, shall be substantially as follows:

6 CONSENT

7 I,, (father) (mother) of, an adult, state:

8 That I reside at, County of and State of

9 That I do hereby consent and agree to the adoption of such
10 adult by and

11 Dated (insert date).

12

13 F. The form of consent required for the adoption of a child
14 of the age of 14 years or upwards, or of an adult, to be given
15 by such person, shall be substantially as follows:

16 CONSENT

17 I,, state:

18 That I reside at, County of and State of

19 That I am of the age of years. That I consent and agree to
20 my adoption by and

21 Dated (insert date).

22

23 G. The form of consent given by an agency to the adoption
24 by specified persons of a child previously surrendered to it
25 shall set forth that the agency has the authority to execute
26 such consent. The form of consent given by a guardian of the

1 person of a child sought to be adopted, appointed by a court of
2 competent jurisdiction, shall set forth the facts of such
3 appointment and the authority of the guardian to execute such
4 consent.

5 H. A consent (other than that given by an agency, or
6 guardian of the person of the child sought to be adopted who
7 was appointed by a court of competent jurisdiction) shall be
8 acknowledged by a parent before a judge of a court of competent
9 jurisdiction or, except as otherwise provided in this Act,
10 before a representative of an agency, or before a person, other
11 than the attorney for the prospective adoptive parent or
12 parents, designated by a court of competent jurisdiction.

13 I. A surrender, or any other document equivalent to a
14 surrender, by which a child is surrendered to an agency shall
15 be acknowledged by the person signing such surrender, or other
16 document, before a judge of a court of competent jurisdiction,
17 or, except as otherwise provided in this Act, before a
18 representative of an agency, or before a person designated by a
19 court of competent jurisdiction.

20 J. The form of the certificate of acknowledgment for a
21 consent, a surrender, or any other document equivalent to a
22 surrender, shall be substantially as follows:

23 STATE OF)

24) SS.

25 COUNTY OF ...)

26 I, (Name of judge or other person), (official

1 title, name and location of court or status or position of
 2 other person), certify that, personally known to me to be
 3 the same person whose name is subscribed to the foregoing
 4 (consent) (surrender), appeared before me this day in person
 5 and acknowledged that (she) (he) signed and delivered such
 6 (consent) (surrender) as (her) (his) free and voluntary act,
 7 for the specified purpose.

8 I have fully explained that by signing such (consent)
 9 (surrender) (she) (he) is irrevocably relinquishing all
 10 parental rights to such child or adult and (she) (he) has
 11 stated that such is (her) (his) intention and desire. (Add if
 12 Consent only) I am further satisfied that, before signing this
 13 Consent, has read, or has had read to him or her, the
 14 Birth Parent Rights and Responsibilities-Private Form.

15 Dated (insert date).

16 Signature

17 K. When the execution of a consent or a surrender is
 18 acknowledged before someone other than a judge, such other
 19 person shall have his or her signature on the certificate
 20 acknowledged before a notary public, in form substantially as
 21 follows:

22 STATE OF)

23) SS.

24 COUNTY OF ...)

25 I, a Notary Public, in and for the County of, in the
 26 State of, certify that, personally known to me to

1 be the same person whose name is subscribed to the foregoing
 2 certificate of acknowledgment, appeared before me in person and
 3 acknowledged that (she) (he) signed such certificate as (her)
 4 (his) free and voluntary act and that the statements made in
 5 the certificate are true.

6 Dated (insert date).

7 Signature Notary Public
 8 (official seal)

9 There shall be attached a certificate of magistracy, or
 10 other comparable proof of office of the notary public
 11 satisfactory to the court, to a consent signed and acknowledged
 12 in another state.

13 L. A surrender or consent executed and acknowledged outside
 14 of this State, either in accordance with the law of this State
 15 or in accordance with the law of the place where executed, is
 16 valid.

17 M. Where a consent or a surrender is signed in a foreign
 18 country, the execution of such consent shall be acknowledged or
 19 affirmed in a manner conformable to the law and procedure of
 20 such country.

21 N. If the person signing a consent or surrender is in the
 22 military service of the United States, the execution of such
 23 consent or surrender may be acknowledged before a commissioned
 24 officer and the signature of such officer on such certificate
 25 shall be verified or acknowledged before a notary public or by

1 such other procedure as is then in effect for such division or
2 branch of the armed forces.

3 O. (1) The parent or parents of a child in whose interests
4 a petition under Section 2-13 of the Juvenile Court Act of 1987
5 is pending may, with the approval of the designated
6 representative of the Department of Children and Family
7 Services ("Department" or "DCFS"), execute a consent to
8 adoption by a specified person or persons:

9 (a) in whose physical custody the child has resided for
10 at least 6 months; or

11 (b) in whose physical custody at least one sibling of
12 the child who is the subject of this consent has resided
13 for at least 6 months, and the child who is the subject of
14 this consent is currently residing in this foster home; or

15 (c) in whose physical custody a child under one year of
16 age has resided for at least 3 months.

17 The court may waive the time frames in subdivisions (a), (b),
18 and (c) for good cause shown if the court finds it to be in the
19 child's best interests.

20 A consent under this subsection O shall be acknowledged by a
21 parent pursuant to subsection H and subsection K of this
22 Section.

23 (2) The final and irrevocable consent to adoption by a
24 specified person or persons in a Department of Children and
25 Family Services (DCFS) case ~~consent to adoption by a specified~~
26 ~~person or persons shall have the caption of the proceeding in~~

1 ~~which it is to be filed and~~ shall be substantially as follows:

2 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

3 A SPECIFIED PERSON OR PERSONS: DCFS CASE

4 I,, the
5 (mother or father) of a ...male child,
6 state:

7 1. My child (name of
8 child) was born on (insert date) at
9 Hospital in the municipality of, in
10 County, State of

11 2. I reside at, County of
12 and State of

13 Mail may also be sent to me at this address
14, in care of

15 My home telephone number is

16 My cell telephone number is

17 My e-mail address is

18 3. I,, am years old.

19 4. I enter my appearance in this action for my child to
20 be adopted ~~to adopt my child~~ by the person or persons
21 specified herein by me and waive service of summons on me
22 in this action only.

23 5. I hereby acknowledge that I have been provided a
24 copy of the Birth Parent Rights and Responsibilities for
25 DCFS Cases before signing this Consent and that I have had
26 time to read this form or have it read to me and that I

1 understand the rights and responsibilities described in
2 this form. I understand that if I do not receive any of my
3 rights as described in the form, it shall not constitute a
4 basis to revoke this Final and Irrevocable Consent to
5 Adoption by a Specified Person or Persons.

6 6. I do hereby consent and agree to the adoption of
7 such child by (specified person or persons)
8 only.

9 7. I wish to sign this consent and I understand that by
10 signing this consent I irrevocably and permanently give up
11 all my parental rights I have to my child.

12 8. I understand that this consent allows my child to be
13 adopted by only and that I cannot under any
14 circumstances after signing this document change my mind
15 and revoke or cancel this consent.

16 9. I understand that this consent will be void if:

17 (a) the Department places my child with someone
18 other than the specified person or persons; or

19 (b) a court denies the adoption petition for the
20 specified person or persons to adopt my child; or

21 (c) the DCFS Guardianship Administrator refuses to
22 consent to my child's adoption by the specified person
23 or persons on the basis that the adoption is not in my
24 child's best interests.

25 I understand that if this consent is void I have
26 parental rights to my child, subject to any applicable

1 court orders including those entered under Article II of
2 the Juvenile Court Act of 1987, unless and until I sign a
3 new consent or surrender or my parental rights are
4 involuntarily terminated. I understand that if this
5 consent is void, my child may be adopted by someone other
6 than the specified person or persons only if I sign a new
7 consent or surrender, or my parental rights are
8 involuntarily terminated. I understand that if this
9 consent is void, the Department will notify me within 30
10 days using the addresses and telephone numbers I provided
11 in paragraph 2 of this form. I understand that if I receive
12 such a notice, it is very important that I contact the
13 Department immediately, and preferably within 30 days, to
14 have input into the plan for my child's future.

15 10. I understand that if a petition for adoption of my
16 child is filed by someone other than the specified person
17 or persons, the Department will notify me within 14 days
18 after the Department becomes aware of the petition. The
19 fact that someone other than the specified person or
20 persons files a petition to adopt my child does not make
21 this consent void.

22 11. If a person other than the specified person or
23 persons files a petition to adopt my child or if the
24 consent is void under paragraph 9, the Department will send
25 written notice to me using the mailing address and email
26 address provided by me in paragraph 2 of this form. The

1 Department will also contact me using the telephone numbers
 2 I provided in paragraph 2 of this form. It is very
 3 important that I let the Department know if any of my
 4 contact information changes. If I do not let the Department
 5 know if any of my contact information changes, I understand
 6 that I may not receive notification from the Department if
 7 this consent is void or if someone other than the specified
 8 person or persons files a petition to adopt my child. If
 9 any of my contact information changes, I should immediately
 10 notify:

11 Caseworker's name and telephone number:
 12 i

13 Agency name, address, zip code, and telephone number:
 14 i

15 Supervisor's name and telephone number:
 16 i

17 DCFS Advocacy Office for Children and Families:
 18 800-232-3798.

19 12. I expressly acknowledge that paragraph 9 (and
 20 paragraphs 8a and 8b, if applicable) do not impair the
 21 validity and finality of this consent under any
 22 circumstances.

23 ~~I consent to the adoption of my child by~~
 24 ~~..... (specified person or~~
 25 ~~persons) only.~~

26 ~~I wish to sign this consent and I understand that by~~

1 ~~signing this consent I irrevocably and permanently give up~~
 2 ~~all parental rights I have to my child if my child is~~
 3 ~~adopted by (specified person~~
 4 ~~or persons).~~

5 ~~I understand my child will be adopted by~~
 6 ~~..... (specified person or~~
 7 ~~persons) only and that I cannot under any circumstances,~~
 8 ~~after signing this document, change my mind and revoke or~~
 9 ~~cancel this consent or obtain or recover custody or any~~
 10 ~~other rights over my child if~~
 11 ~~(specified person or persons) adopt my child.~~

12 ~~I understand that this consent to adoption is valid~~
 13 ~~only if the petition to adopt is filed within one year from~~
 14 ~~the date that I sign it and that if~~
 15 ~~(specified person or persons), for any reason, cannot or~~
 16 ~~will not file a petition to adopt my child within that one~~
 17 ~~year period or if their adoption petition is denied, then~~
 18 ~~this consent will be voidable after one year upon the~~
 19 ~~timely filing of my motion. If I file this motion before~~
 20 ~~the filing of the petition for adoption, I understand that~~
 21 ~~the court shall revoke this specific consent. I have the~~
 22 ~~right to notice of any other proceeding that could affect~~
 23 ~~my parental rights, except for the proceeding for~~
 24 ~~..... (specified person or persons) to adopt my~~
 25 ~~child.~~

26 13. I have read and understand the above and I am

1 signing it as my free and voluntary act.

2 Dated (insert date).

3

4 Signature of parent

5 (3) If the parent consents to an adoption by 2 specified
6 persons, then the form shall contain 2 additional paragraphs in
7 substantially the following form:

8 8a. If (specified persons) get a
9 divorce or are granted a dissolution of a civil union
10 before the petition to adopt my child is granted, this
11 consent is valid for (specified person) to
12 adopt my child. I understand that I cannot change my mind
13 or revoke this consent or recover custody of my child on
14 the basis that the specified persons divorce or are granted
15 a dissolution of a civil union. then (specified
16 person) shall adopt my child. I understand that I cannot
17 change my mind and revoke this consent or obtain or recover
18 custody over my child if (specified persons)
19 divorce and (specified person) adopts my
20 child. I understand that I cannot change my mind and revoke
21 this consent or obtain or recover custody over my child if
22 (specified persons) divorce after the
23 adoption is final. I understand that this consent to
24 adoption has no effect on who will get custody of my child
25 if they divorce after the adoption is final.

26 8b. I understand that if either

1 (specified persons) dies before the petition to adopt my
 2 child is granted, this consent remains valid for the
 3 surviving person to adopt my child. I understand that I
 4 cannot change my mind or revoke this consent or recover
 5 custody of my child on the basis that one of the specified
 6 persons dies. ~~then the surviving person can adopt my child.~~
 7 ~~I understand that I cannot change my mind and revoke this~~
 8 ~~consent or obtain or recover custody over my child if the~~
 9 ~~surviving person adopts my child.~~

10 ~~A consent to adoption by specified persons on this form~~
 11 ~~shall have no effect on a court's determination of custody or~~
 12 ~~visitation under the Illinois Marriage and Dissolution of~~
 13 ~~Marriage Act if the marriage of the specified persons is~~
 14 ~~dissolved after the adoption is final.~~

15 (4) The form of the certificate of acknowledgement for a
 16 Final and Irrevocable Consent for Adoption by a Specified
 17 Person or Persons: DCFS Case shall be substantially as follows:

18 STATE OF)
 19) SS.
 20 COUNTY OF

21 I, (Name of Judge or other person),
 22 (official title, name, and address),
 23 certify that, personally known to me to be the
 24 same person whose name is subscribed to the foregoing Final and

1 Irrevocable Consent for Adoption by a Specified Person or
2 Persons: DCFS Case, appeared before me this day in person and
3 acknowledged that (she) (he) signed and delivered the consent as
4 (her) (his) free and voluntary act, for the specified purpose.

5 ~~I have fully explained that this consent to adoption is~~
6 ~~valid only if the petition to adopt is filed within one year~~
7 ~~from the date that it is signed, and that if the specified~~
8 ~~person or persons, for any reason, cannot or will not adopt the~~
9 ~~child or if the adoption petition is denied, then this consent~~
10 ~~will be voidable after one year upon the timely filing of a~~
11 ~~motion by the parent to revoke the consent. I explained that if~~
12 ~~this motion is filed before the filing of the petition for~~
13 ~~adoption, the court shall revoke this specific consent. I have~~
14 fully explained that ~~if the specified person or persons adopt~~
15 ~~the child,~~ by signing this consent this parent is irrevocably
16 and permanently relinquishing all parental rights to the child
17 so that the child may be adopted by a specified person or
18 persons, and this parent has stated that such is (her) (his)
19 intention and desire. I have fully explained that this consent
20 is void only if:

21 (a) the placement is disrupted and the child is moved
22 to a different placement; or

23 (b) a court denies the petition for adoption; or

24 (c) the Department of Children and Family Services
25 Guardianship Administrator refuses to consent to the
26 child's adoption by a specified person or persons on the

1 basis that the adoption is not in the child's best
2 interests.

3 Dated (insert date).

4

5 Signature

6 (5) If a consent to adoption by a specified person or
7 persons is executed in this form, the following provisions
8 shall apply. The consent shall be valid only for the ~~if that~~
9 specified person or persons to adopt the child. The consent
10 shall be void ~~voidable after one year~~ if:

11 (a) the placement disrupts and the child is moved to
12 another placement ~~the specified person or persons do not~~
13 ~~file a petition to adopt the child within one year after~~
14 ~~the consent is signed and the parent files a timely motion~~
15 ~~to revoke this consent. If this motion is filed before the~~
16 ~~filing of the petition for adoption the court shall revoke~~
17 ~~this consent; or~~

18 (b) a court denies the petition for adoption ~~a court~~
19 ~~denies the adoption petition; or~~

20 (c) the Department of Children and Family Services
21 Guardianship Administrator refuses to consent to the
22 child's adoption by the specified person or persons on the
23 basis that the adoption is not in the child's best
24 interests ~~determines that the specified person or persons~~
25 ~~will not or cannot complete the adoption, or in the best~~
26 ~~interests of the child should not adopt the child.~~

1 If the consent is void under this Section, the parent shall
2 not need to take further action to revoke the consent. No
3 proceeding for termination of parental rights shall be brought
4 unless the parent who executed the consent to adoption by a
5 specified person or persons has been notified of the
6 proceedings pursuant to Section 7 of this Act or subsection (4)
7 of Section 2-13 of the Juvenile Court Act of 1987. Within 30
8 days of the consent becoming void, the Department of Children
9 and Family Services Guardianship Administrator shall make good
10 faith attempts to notify the parent in writing and shall give
11 written notice to the court and all additional parties in
12 writing that the adoption has not occurred or will not occur
13 and that the consent is void. If the adoption by a specified
14 person or persons does not occur, no proceeding for termination
15 of parental rights shall be brought unless the biological
16 parent who executed the consent to adoption by a specified
17 person or persons has been notified of the proceeding pursuant
18 to Section 7 of this Act or subsection (4) of Section 2-13 of
19 the Juvenile Court Act of 1987. The parent shall not need to
20 take further action to revoke the consent if the specified
21 adoption does not occur, notwithstanding the provisions of
22 Section 11 of this Act.

23 (6) The Department of Children and Family Services is
24 authorized to promulgate rules necessary to implement this
25 subsection O.

26 (7) (Blank). ~~The Department shall collect and maintain data~~

1 ~~concerning the efficacy of specific consents. This data shall~~
2 ~~include the number of specific consents executed and their~~
3 ~~outcomes, including but not limited to the number of children~~
4 ~~adopted pursuant to the consents, the number of children for~~
5 ~~whom adoptions are not completed, and the reason or reasons why~~
6 ~~the adoptions are not completed.~~

7 (8) The Department of Children and Family Services shall
8 promulgate a rule and procedures regarding Consents to Adoption
9 by a Specified Person or Persons in DCFS cases. The rule and
10 procedures shall provide for the development of the Birth
11 Parent Rights and Responsibilities Form for DCFS Cases.

12 (9) A consent to adoption by specified persons on this
13 consent form shall have no effect on a court's determination of
14 custody or visitation under the Illinois Marriage and
15 Dissolution of Marriage Act or the Illinois Religious Freedom
16 Protection and Civil Union Act if the marriage or civil union
17 of the specified persons is dissolved after the adoption is
18 final.

19 P. If the person signing a consent is incarcerated or
20 detained in a correctional facility, prison, jail, detention
21 center, or other comparable institution, either in this State
22 or any other jurisdiction, the execution of such consent may be
23 acknowledged before social service personnel of such
24 institution, or before a person designated by a court of
25 competent jurisdiction.

26 Q. A consent may be acknowledged telephonically, via

1 audiovisual connection, or other electronic means, provided
 2 that a court of competent jurisdiction has entered an order
 3 approving the execution of the consent in such manner and has
 4 designated an individual to be physically present with the
 5 parent executing such consent in order to verify the identity
 6 of the parent.

7 R. An agency whose representative is acknowledging a
 8 consent pursuant to this Section shall be a public child
 9 welfare agency, or a child welfare agency, or a child placing
 10 agency that is authorized or licensed in the State or
 11 jurisdiction in which the consent is signed.

12 S. The form of waiver by a putative or legal father of a
 13 born or unborn child shall be substantially as follows:

14 FINAL AND IRREVOCABLE

15 WAIVER OF PARENTAL RIGHTS OF PUTATIVE OR LEGAL FATHER

16 I, , state under oath or affirm as
 17 follows:

18 1. That the biological mother has
 19 named me as a possible biological or legal father of her
 20 minor child who was born, or is expected to be born on
 21,, in the City/Town of....., State
 22 of

23 2. That I understand that the biological mother
 24 intends to or has placed the child for

1 adoption.

2 3. That I reside at, in the City/Town
3 of....., State of

4 4. That I am years of age and my date
5 of birth is,

6 5. That I (select one):
7 am married to the biological mother.
8 am not married to the biological mother and
9 have not been married to the biological mother within
10 300 days before the child's birth or expected date of
11 child's birth.

12 am not currently married to the biological
13 mother, but was married to the biological mother,
14 within 300 days before the child's birth or expected
15 date of child's birth.

16 6. That I (select one):
17 neither admit nor deny that I am the
18 biological father of the child.

19 deny that I am the biological father of the
20 child.

21 7. That I hereby agree to the termination of my
22 parental rights, if any, without further notice to me of
23 any proceeding for the adoption of the minor child, even if
24 I have taken any action to establish parental rights or
25 take any such action in the future including registering
26 with any putative father registry.

1 are true and correct to the best of my knowledge. I have signed
2 this document as my free and voluntary act in order to
3 facilitate the adoption of the child.

4

5 Signature

6 Signed and Sworn before me on

7 this day

8 of, 20....

9

10 Notary Public

11 (Source: P.A. 96-601, eff. 8-21-09; 96-1461, eff. 1-1-11;
12 97-493, eff. 8-22-11.)

13 (750 ILCS 50/18.08 new)

14 Sec. 18.08. Adoption Advisory Council.

15 (a) There shall be established under the Department of
16 Public Health the Adoption Advisory Council. The Council shall
17 include:

18 (1) the Director of the Department of Public Health, or
19 his or her designee, who shall serve as the chairperson of
20 the Council;

21 (2) the Director of the Department of Children and
22 Family Services, or his or her designee;

1 (3) an attorney representing the Attorney General's
2 Office appointed by the Attorney General;

3 (4) a currently certified confidential intermediary
4 appointed by the Director of the Department of Children and
5 Family Services;

6 (5) one representative from each of the following
7 organizations appointed by the Director of the Department
8 of Public Health: Adoption Advocates of Illinois, Adoptive
9 Families Today, Catholic Conference of Illinois, Chicago
10 Area Families for Adoption, Chicago Bar Association, Child
11 Care Association of Illinois, Children Remembered, Inc.,
12 Children's Home and Aid Society of Illinois, Child Welfare
13 Advisory Council, The Cradle, Healing Hearts, Illinois
14 Foster Parents Association, Illinois State Bar
15 Association, Illinois State Medical Society, Jewish
16 Children's Bureau, LDS Social Services, Lutheran Social
17 Services of Illinois, Maryville Academy, Midwest Adoption
18 Center, St. Mary's Services, Stars of David, and
19 Truthseekers in Adoption;

20 (6) 5 additional members appointed by the Director of
21 the Department of Children and Family Services who shall,
22 when making those appointments, consider advocates for
23 adopted persons, adoptive parents, or birth parents,
24 lawyers who represent clients in private adoptions,
25 lawyers specializing in privacy law, and representatives
26 of agencies involved in adoptions; and

1 (7) an attorney from the Department of Children and
2 Family Services and the person directly responsible for
3 administering the confidential intermediary program, who
4 shall serve as ex-officio, non-voting advisors to the
5 Council.

6 (b) If any one of the named organizations in item (5) of
7 subsection (a) notifies the Director of the Department of
8 Public Health in writing that the organization does not wish to
9 participate on the Adoption Advisory Council or that the
10 organization is no longer functioning, the Director may
11 designate another organization that represents the same
12 constituency as the named organization to replace the named
13 organization on the Council.

14 (c) Council members shall receive no compensation for their
15 service. The Council shall meet no less often than once every 6
16 months and shall meet as the Director of the Department of
17 Public Health deems necessary. The council shall make
18 recommendations regarding the development of rules,
19 procedures, and forms that will ensure the efficient and
20 effective operation of the adoption process in Illinois and the
21 effective delivery of adult post-adoption services in
22 Illinois, including:

23 (1) advising the Department of Public Health on the
24 development of rules, procedures, and forms utilized by the
25 Illinois Adoption Registry and Medical Information
26 Exchange;

1 (2) making recommendations regarding the procedures,
2 tools, and technology that will ensure efficient and
3 effective operation of the Registry;

4 (3) assisting the Department of Public Health with the
5 development, publication, and circulation of an
6 informational pamphlet that describes the purpose,
7 function, and mechanics of the Illinois Adoption Registry
8 and Medical Information Exchange, including information
9 about who is eligible to register and how to register;
10 information about the questions and concerns that
11 registrants may develop when they register or when they
12 receive information from the Registry; and a list of
13 services, programs, groups, and informational websites
14 that are available to assist registrants with their
15 questions and concerns;

16 (4) collecting, compiling, and reviewing statistical
17 data and empirical information concerning the procedures
18 in the Registry including, but not limited to, data
19 concerning the filing of Denials of Information Exchange,
20 Information Exchange Authorizations, Requests for a
21 Non-Certified Copy of an Original Birth Certificate, and
22 Birth Parent Preference Forms;

23 (5) making recommendations regarding the standards for
24 certification for confidential intermediaries;

25 (6) reviewing compliance with all appropriate laws
26 including, but not limited to, P.A. 96-895 and this

1 amendatory Act of the 97th General Assembly;

2 (7) overseeing methods used to verify that
3 intermediaries are complying with the appropriate laws;

4 (8) assisting the Department of Children and Family
5 Services with training for confidential intermediaries,
6 including training with respect to federal and State
7 privacy laws;

8 (9) reviewing the relationship between confidential
9 intermediaries and the court system and making
10 recommendations concerning sample orders that define the
11 scope of the intermediaries' access to information;

12 (10) considering any recent violations of policy or
13 procedures by confidential intermediaries and remedial
14 steps, including decertification, which might be
15 recommended so as to prevent future violations; and

16 (11) reviewing reports from the Department of Children
17 and Family Services submitted by July 1 and January 1 of
18 each year in order detailing the penalties assessed and
19 collected, the amounts of related deposits into the DCFS
20 Children's Services Fund, and any expenditures from such
21 deposits.

22 (d) Within 45 days after the effective date of this
23 amendatory Act of the 97th General Assembly, both the Adoption
24 Registry Advisory Council and the Confidential Intermediary
25 Council shall, notwithstanding any other provision of this Act,
26 turn over the Council's records to the Adoption Advisory

1 Council and cease to function.

2 (750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)

3 Sec. 18.3a. Confidential intermediary.

4 (a) General purposes. Notwithstanding any other provision
5 of this Act, any adopted or surrendered person 21 years of age
6 or over, any adoptive parent or legal guardian of an adopted or
7 surrendered person under the age of 21, or any birth parent of
8 an adopted or surrendered person who is 21 years of age or over
9 may petition the court in any county in the State of Illinois
10 for appointment of a confidential intermediary as provided in
11 this Section for the purpose of exchanging medical information
12 with one or more mutually consenting biological relatives,
13 obtaining identifying information about one or more mutually
14 consenting biological relatives, or arranging contact with one
15 or more mutually consenting biological relatives.
16 Additionally, in cases where an adopted or surrendered person
17 is deceased, an adult child of the adopted or surrendered
18 person or his or her adoptive parents or surviving spouse may
19 file a petition under this Section and in cases where the birth
20 parent is deceased, an adult birth sibling of the adopted or
21 surrendered person or of the deceased birth parent may file a
22 petition under this Section for the purpose of exchanging
23 medical information with one or more mutually consenting
24 biological relatives of the adopted or surrendered person,
25 obtaining identifying information about one or more mutually

1 consenting biological relatives of the adopted or surrendered
2 person, or arranging contact with one or more mutually
3 consenting biological relatives of the adopted or surrendered
4 person. Beginning January 1, 2006, any adopted or surrendered
5 person 21 years of age or over; any adoptive parent or legal
6 guardian of an adopted or surrendered person under the age of
7 21; any birth parent, birth sibling, birth aunt, or birth uncle
8 of an adopted or surrendered person over the age of 21; any
9 surviving child, adoptive parent, or surviving spouse of a
10 deceased adopted or surrendered person who wishes to petition
11 the court for the appointment of a confidential intermediary
12 shall be required to accompany their petition with proof of
13 registration with the Illinois Adoption Registry and Medical
14 Information Exchange.

15 (b) Petition. Upon petition by an adopted or surrendered
16 person 21 years of age or over (an "adult adopted or
17 surrendered person"), an adoptive parent or legal guardian of
18 an adopted or surrendered person under the age of 21, or a
19 birth parent of an adopted or surrendered person who is 21
20 years of age or over, the court shall appoint a confidential
21 intermediary. Upon petition by an adult child, adoptive parent
22 or surviving spouse of an adopted or surrendered person who is
23 deceased, by an adult birth sibling of an adopted or
24 surrendered person whose common birth parent is deceased and
25 whose adopted or surrendered birth sibling is 21 years of age
26 or over, or by an adult sibling of a birth parent who is

1 deceased, and whose surrendered child is 21 years of age or
2 over, the court may appoint a confidential intermediary if the
3 court finds that the disclosure is of greater benefit than
4 nondisclosure. The petition shall state which biological
5 relative or relatives are being sought and shall indicate if
6 the petitioner wants to do any one or more of the following:
7 exchange medical information with the biological relative or
8 relatives, obtain identifying information from the biological
9 relative or relatives, or to arrange contact with the
10 biological relative.

11 (c) Order. The order appointing the confidential
12 intermediary shall allow that intermediary to conduct a search
13 for the sought-after relative by accessing those records
14 described in subsection (g) of this Section.

15 (d) Fees and expenses. The court shall not condition the
16 appointment of the confidential intermediary on the
17 ~~petitioner's~~ payment of the intermediary's fees and expenses in
18 advance of the commencement of the work of the confidential
19 intermediary. No ~~However, no~~ fee shall be charged if the
20 petitioner is an adult adopted or surrendered person and the
21 sought-after relative is a birth parent who filed or who did
22 not file a Denial with the Registry prior to January 1, 2011,
23 or filed a Birth Parent Preference Form on which Option E was
24 selected after January 1, 2011 and more than 5 years have
25 transpired since the birth parent filed the Denial of
26 Information Exchange or Birth Parent Preference Form on which

1 Option E was selected.

2 (e) Eligibility of intermediary. The court may appoint as
3 confidential intermediary any person certified by the
4 Department of Children and Family Services as qualified to
5 serve as a confidential intermediary. Certification shall be
6 dependent upon the confidential intermediary completing a
7 course of training including, but not limited to, applicable
8 federal and State privacy laws.

9 (f) (Blank). ~~Confidential Intermediary Council. There~~
10 ~~shall be established under the Department of Children and~~
11 ~~Family Services a Confidential Intermediary Advisory Council.~~
12 ~~One member shall be an attorney representing the Attorney~~
13 ~~General's Office appointed by the Attorney General. One member~~
14 ~~shall be a currently certified confidential intermediary~~
15 ~~appointed by the Director of the Department of Children and~~
16 ~~Family Services. The Director shall also appoint 5 additional~~
17 ~~members. When making those appointments, the Director shall~~
18 ~~consider advocates for adopted persons, adoptive parents,~~
19 ~~birth parents, lawyers who represent clients in private~~
20 ~~adoptions, lawyers specializing in privacy law, and~~
21 ~~representatives of agencies involved in adoptions. The~~
22 ~~Director shall appoint one of the 7 members as the chairperson.~~
23 ~~An attorney from the Department of Children and Family Services~~
24 ~~and the person directly responsible for administering the~~
25 ~~confidential intermediary program shall serve as ex officio,~~
26 ~~non voting advisors to the Council. Council members shall serve~~

1 ~~at the discretion of the Director and shall receive no~~
2 ~~compensation other than reasonable expenses approved by the~~
3 ~~Director. The Council shall meet no less than twice yearly and~~
4 ~~shall meet at least once yearly with the Registry Advisory~~
5 ~~Council, and shall make recommendations to the Director~~
6 ~~regarding the development of rules, procedures, and forms that~~
7 ~~will ensure efficient and effective operation of the~~
8 ~~confidential intermediary process, including:~~

9 ~~(1) Standards for certification for confidential~~
10 ~~intermediaries.~~

11 ~~(2) Oversight of methods used to verify that~~
12 ~~intermediaries are complying with the appropriate laws.~~

13 ~~(3) Training for confidential intermediaries,~~
14 ~~including training with respect to federal and State~~
15 ~~privacy laws.~~

16 ~~(4) The relationship between confidential~~
17 ~~intermediaries and the court system, including the~~
18 ~~development of sample orders defining the scope of the~~
19 ~~intermediaries' access to information.~~

20 ~~(5) Any recent violations of policy or procedures by~~
21 ~~confidential intermediaries and remedial steps, including~~
22 ~~decertification, to prevent future violations.~~

23 (g) Access. Subject to the limitations of subsection (i)
24 of this Section, the confidential intermediary shall have
25 access to vital records or a comparable public entity that
26 maintains vital records in another state in accordance with

1 that state's laws, maintained by the Department of Public
2 Health and its local designees for the maintenance of vital
3 records or a comparable public entity that maintains vital
4 records in another state in accordance with that state's laws
5 and all records of the court or any adoption agency, public or
6 private, as limited in this Section, which relate to the
7 adoption or the identity and location of an adopted or
8 surrendered person, of an adult child or surviving spouse of a
9 deceased adopted or surrendered person, or of a birth parent,
10 birth sibling, or the sibling of a deceased birth parent. The
11 confidential intermediary shall not have access to any personal
12 health information protected by the Standards for Privacy of
13 Individually Identifiable Health Information adopted by the
14 U.S. Department of Health and Human Services under the Health
15 Insurance Portability and Accountability Act of 1996 unless the
16 confidential intermediary has obtained written consent from
17 the person whose information is being sought by an adult
18 adopted or surrendered person or, if that person is a minor
19 child, that person's parent or guardian. Confidential
20 intermediaries shall be authorized to inspect confidential
21 relinquishment and adoption records. The confidential
22 intermediary shall not be authorized to access medical records,
23 financial records, credit records, banking records, home
24 studies, attorney file records, or other personal records. In
25 cases where a birth parent is being sought, an adoption agency
26 shall inform the confidential intermediary of any statement

1 filed pursuant to Section 18.3, hereinafter referred to as "the
2 18.3 statement", indicating a desire of the surrendering birth
3 parent to have identifying information shared or to not have
4 identifying information shared. If there was a clear statement
5 of intent by the sought-after birth parent not to have
6 identifying information shared, the confidential intermediary
7 shall discontinue the search and inform the petitioning party
8 of the sought-after relative's intent unless the birth parent
9 filed the 18.3 statement prior to the effective date of this
10 amendatory Act of the 96th General Assembly and more than 5
11 years have elapsed since the filing of the 18.3 statement. If
12 the adult adopted or surrendered person is the subject of an
13 18.3 statement indicating a desire not to establish contact
14 which was filed more than 5 years prior to the search request,
15 the confidential intermediary shall confirm the petitioner's
16 desire to continue the search. Information provided to the
17 confidential intermediary by an adoption agency shall be
18 restricted to the full name, date of birth, place of birth,
19 last known address, last known telephone number of the
20 sought-after relative or, if applicable, of the children or
21 siblings of the sought-after relative, and the 18.3 statement.

22 (h) Adoption agency disclosure of medical information. If
23 the petitioner is an adult adopted or surrendered person or the
24 adoptive parent of a minor and if the petitioner has signed a
25 written authorization to disclose personal medical
26 information, an adoption agency disclosing information to a

1 confidential intermediary shall disclose available medical
2 information about the adopted or surrendered person from birth
3 through adoption.

4 (i) Duties of confidential intermediary in conducting a
5 search. In conducting a search under this Section, the
6 confidential intermediary shall first confirm that there is no
7 Denial of Information Exchange on file with the Illinois
8 Adoption Registry. If the petitioner is an adult child of an
9 adopted or surrendered person who is deceased, the confidential
10 intermediary shall additionally confirm that the adopted or
11 surrendered person did not file a Denial of Information
12 Exchange or a Birth Parent Preference Form with Option E
13 selected with the Illinois Adoption Registry during his or her
14 life. If there is a Denial on file with the Registry, the
15 confidential intermediary must discontinue the search unless
16 the petitioner is an adult adopted or surrendered person and
17 the sought-after birth relative filed the Denial 5 years or
18 more prior to the search or the birth parent has not been the
19 object of a search through the State confidential intermediary
20 program for 10 or more years. If the petitioner is an adult
21 adopted or surrendered person and there is a Birth Parent
22 Preference Form on file with the Registry and the birth parent
23 who completed the form selected Option E, the confidential
24 intermediary must discontinue the search unless 5 years or more
25 have elapsed since the filing of the Birth Parent Preference
26 Form. If the petitioner is an adult birth sibling of an adopted

1 or surrendered person or an adult sibling of a birth parent who
2 is deceased, the confidential intermediary shall additionally
3 confirm that the birth parent did not file a Denial of
4 Information Exchange or a Birth Parent Preference Form with
5 Option E selected with the Registry during his or her life. If
6 the confidential intermediary learns that a sought-after birth
7 parent signed an 18.3 statement indicating his or her intent
8 not to have identifying information shared, and did not later
9 file an Information Exchange Authorization or a Birth Parent
10 Preference Form with the Registry, the confidential
11 intermediary shall discontinue the search and inform the
12 petitioning party of the birth parent's intent, unless the
13 petitioner is an adult adopted or surrendered person and 5
14 years or more have elapsed since the birth parent signed the
15 statement indicating his or her intent not to have identifying
16 information shared. In cases where the birth parent filed a
17 Denial of Information Exchange or Birth Parent Preference Form
18 where Option E was selected, or statement indicating his or her
19 intent not to have identifying information shared less than 5
20 years prior to the search request and the petitioner is an
21 adult adopted or surrendered person, the confidential
22 intermediary shall inform the petitioner of the need to
23 discontinue the search until 5 years have elapsed since the
24 Denial of Information Exchange or Birth Parent Preference Form
25 where Option E was selected, or statement was filed; in cases
26 where a birth parent was previously the subject of a search

1 through the State confidential intermediary program, the
2 confidential intermediary shall inform the petitioner of the
3 need to discontinue the search until 10 years or more have
4 elapsed since the initial search was closed. In cases where a
5 birth parent has been the object of 2 searches through the
6 State confidential intermediary program, no subsequent search
7 for the birth parent shall be authorized absent a court order
8 to the contrary.

9 In conducting a search under this Section, the confidential
10 intermediary shall attempt to locate the relative or relatives
11 from whom the petitioner has requested information. If the
12 sought-after relative is deceased or cannot be located after a
13 diligent search, the confidential intermediary may contact
14 other adult relatives of the sought-after relative.

15 The confidential intermediary shall contact a sought-after
16 relative on behalf of the petitioner in a manner that respects
17 the sought-after relative's privacy and shall inform the
18 sought-after relative of the petitioner's request for medical
19 information, identifying information or contact as stated in
20 the petition. Based upon the terms of the petitioner's request,
21 the confidential intermediary shall contact a sought-after
22 relative on behalf of the petitioner and inform the
23 sought-after relative of the following options:

- 24 (1) The sought-after relative may totally reject one or
25 all of the requests for medical information, identifying
26 information or contact. The sought-after relative shall be

1 informed that they can provide a medical questionnaire to
2 be forwarded to the petitioner without releasing any
3 identifying information. The confidential intermediary
4 shall inform the petitioner of the sought-after relative's
5 decision to reject the sharing of information or contact.

6 (2) The sought-after relative may consent to
7 completing a medical questionnaire only. In this case, the
8 confidential intermediary shall provide the questionnaire
9 and ask the sought-after relative to complete it. The
10 confidential intermediary shall forward the completed
11 questionnaire to the petitioner and inform the petitioner
12 of the sought-after relative's desire to not provide any
13 additional information.

14 (3) The sought-after relative may communicate with the
15 petitioner without having his or her identity disclosed. In
16 this case, the confidential intermediary shall arrange the
17 desired communication in a manner that protects the
18 identity of the sought-after relative. The confidential
19 intermediary shall inform the petitioner of the
20 sought-after relative's decision to communicate but not
21 disclose his or her identity.

22 (4) The sought-after relative may consent to initiate
23 contact with the petitioner. If both the petitioner and the
24 sought-after relative or relatives are eligible to
25 register with the Illinois Adoption Registry, the
26 confidential intermediary shall provide the necessary

1 application forms and request that the sought-after
 2 relative register with the Illinois Adoption Registry. If
 3 either the petitioner or the sought-after relative or
 4 relatives are ineligible to register with the Illinois
 5 Adoption Registry, the confidential intermediary shall
 6 obtain written consents from both parties that they wish to
 7 disclose their identities to each other and to have contact
 8 with each other.

9 (j) Oath. The confidential intermediary shall sign an oath
 10 of confidentiality substantially as follows: "I,,
 11 being duly sworn, on oath depose and say: As a condition of
 12 appointment as a confidential intermediary, I affirm that:

13 (1) I will not disclose to the petitioner, directly or
 14 indirectly, any confidential information except in a
 15 manner consistent with the law.

16 (2) I recognize that violation of this oath subjects me
 17 to civil liability and to a potential finding of contempt
 18 of court.

19 SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert
 20 date)

21"

22 (k) Sanctions.

23 (1) Any confidential intermediary who improperly
 24 discloses confidential information identifying a
 25 sought-after relative shall be liable to the sought-after
 26 relative for damages and may also be found in contempt of

1 court.

2 (2) Any person who learns a sought-after relative's
3 identity, directly or indirectly, through the use of
4 procedures provided in this Section and who improperly
5 discloses information identifying the sought-after
6 relative shall be liable to the sought-after relative for
7 actual damages plus minimum punitive damages of \$10,000.

8 (3) The Department shall fine any confidential
9 intermediary who improperly discloses confidential
10 information in violation of item (1) or (2) of this
11 subsection (k) an amount up to \$2,000 per improper
12 disclosure. This fine does not affect civil liability under
13 item (2) of this subsection (k). The Department shall
14 deposit all fines and penalties collected under this
15 Section into the Illinois Adoption Registry and Medical
16 Information Fund.

17 (l) Death of person being sought. Notwithstanding any other
18 provision of this Act, if the confidential intermediary
19 discovers that the person being sought has died, he or she
20 shall report this fact to the court, along with a copy of the
21 death certificate. If the sought-after relative is a birth
22 parent, the confidential intermediary shall also forward a copy
23 of the birth parent's death certificate, if available, to the
24 Registry for inclusion in the Registry file.

25 (m) Any confidential information obtained by the
26 confidential intermediary during the course of his or her

1 search shall be kept strictly confidential and shall be used
2 for the purpose of arranging contact between the petitioner and
3 the sought-after birth relative. At the time the case is
4 closed, all identifying information shall be returned to the
5 court for inclusion in the impounded adoption file.

6 (n) If the petitioner is an adopted or surrendered person
7 21 years of age or over or the adoptive parent or legal
8 guardian of an adopted or surrendered person under the age of
9 21, any non-identifying information, as defined in Section
10 18.4, that is ascertained during the course of the search may
11 be given in writing to the petitioner at any time during the
12 search before the case is closed.

13 (o) Except as provided in subsection (k) of this Section,
14 no liability shall accrue to the State, any State agency, any
15 judge, any officer or employee of the court, any certified
16 confidential intermediary, or any agency designated to oversee
17 confidential intermediary services for acts, omissions, or
18 efforts made in good faith within the scope of this Section.

19 (p) An adoption agency that has received a request from a
20 confidential intermediary for the full name, date of birth,
21 last known address, or last known telephone number of a
22 sought-after relative pursuant to subsection (g) of Section
23 18.3a, or for medical information regarding a sought-after
24 relative pursuant to subsection (h) of Section 18.3a, must
25 satisfactorily comply with this court order within a period of
26 45 days. The court shall order the adoption agency to reimburse

1 the petitioner in an amount equal to all payments made by the
2 petitioner to the confidential intermediary, and the adoption
3 agency shall be subject to a civil monetary penalty of \$1,000
4 to be paid to the Department of Children and Family Services.
5 Following the issuance of a court order finding that the
6 adoption agency has not complied with Section 18.3, the
7 adoption agency shall be subject to a monetary penalty of \$500
8 per day for each subsequent day of non-compliance. Proceeds
9 from such fines shall be utilized by the Department of Children
10 and Family Services to subsidize the fees of petitioners as
11 referenced in subsection (d) of this Section.

12 (q) Provide information to eligible petitioner. The
13 confidential intermediary may provide to eligible petitioners
14 as described in subsections (a) and (b) of this Section, the
15 name of the child welfare agency which had legal custody of the
16 surrendered person or responsibility for placing the
17 surrendered person and any available contact information for
18 such agency. In addition, the confidential intermediary may
19 provide to such petitioners the name of the state in which the
20 surrender occurred or in which the adoption was finalized.

21 Any reimbursements and fines, notwithstanding any
22 reimbursement directly to the petitioner, paid under this
23 subsection are in addition to other remedies a court may
24 otherwise impose by law.

25 The Department of Children and Family Services shall submit
26 reports to the Adoption Advisory Council ~~Confidential~~

1 ~~Intermediary Advisory Council~~ by July 1 and January 1 of each
2 year in order to report the penalties assessed and collected
3 under this subsection, the amounts of related deposits into the
4 DCFS Children's Services Fund, and any expenditures from such
5 deposits.

6 (Source: P.A. 96-661, eff. 8-25-09; 96-895, eff. 5-21-10;
7 97-110, eff. 7-14-11.)

8 (750 ILCS 50/18.07 rep.)

9 Section 15. The Adoption Act is amended by repealing
10 Section 18.07.

11 Section 99. Effective date. This Act takes effect January
12 1, 2013, except this Section and Section 5 take effect upon
13 becoming law."